

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 12-3101

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LaRonda Phox

*Plaintiff - Appellant*

v.

George E. Fern Co., an Ohio corporation; International Alliance of Theatrical  
State Employees, Local 31

*Defendants - Appellees*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: May 1, 2013  
Filed: May 6, 2013  
[Unpublished]

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Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

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PER CURIAM.

LaRonda Phox seeks to appeal various orders entered by the district court<sup>1</sup> that granted summary judgment to defendant International Alliance of Theatrical Stage Employees Local 31, denied her motions for a default judgment against defendant George E. Fern Co. (GFC), and denied discovery motions and her motions to amend her complaint.

We conclude this court lacks jurisdiction over this appeal, because Phox's claims against defendant GFC remain pending before the district court. Thus there is no final judgment for us to review. See 28 U.S.C. § 1291 (courts of appeals shall have jurisdiction over appeals from all final decisions and specified interlocutory orders); Thomas v. Basham, 931 F.2d 521, 523 (8th Cir. 1991) (jurisdictional issues are raised sua sponte; order dismissing fewer than all claims in pending action is not final appealable order under § 1291); see also Tenkku v. Normandy Bank, 218 F.3d 926, 927 (8th Cir. 2000) (“[p]retrial discovery orders are not immediately appealable”); Bean v. Dormire, 10 F.3d 538, 539 (8th Cir. 1993) (district court's denial of default judgment is not final appealable order); Liddell v. Bd. of Educ., 693 F.2d 721, 726 (8th Cir. 1981) (order) (same for denial of motion to amend). We therefore dismiss the appeal for lack of jurisdiction. We deny as moot Phox's pending motions.

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<sup>1</sup>The Honorable Dean Whipple, United States District Judge for the Western District of Missouri.